

Senate Bill 190

By: Senators Mullis of the 53rd and Pearson of the 51st

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 5 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions regarding time-share projects and programs, so as to provide definitions; to provide that private residence clubs and private residence club developments are not time-share estates or time-share uses; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 5 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions regarding time-share projects and programs, is amended by adding a new Code section to read as follows:

"44-3-162.1.

(a) As used in this Code section, the term:

(1) 'Private residence club' means a single-family residence, the title to which is held by a maximum of six individuals as tenants in common in fee simple, and the use of such residence, including, without limitation, exclusive occupancy for certain time periods, is determined among the titleholders by project instrument, contract, or otherwise. A private residence club may or may not be located in a private residence club development.

(2) 'Private residence club development' means a development of at least two private residence clubs in which the titleholders to each private residence club may contractually agree by project instrument, contract, or otherwise to grant exclusive occupancy rights for certain time periods to the titleholders to any or all of the private residence clubs in the private residence club development.

(b) Neither a private residence club nor a private residence club development shall be considered a time-share estate, time-share program, or time-share use under this article, and

26 this article shall not be applicable to private residence clubs or private residence club
27 developments."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.